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LAW OFFICES

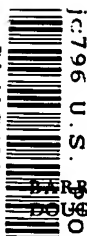
BARRY R. LIPSITZ

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PATENTS, TRADEMARKS, COPYRIGHTS

TELEPHONE: (203)459-0200  
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01/30/02

BARRY R. LIPSITZ  
DOUGLAS M. McALLISTER

## BOX PATENT APPLICATION

Commissioner for Patents  
Washington, D.C. 20231JC868 U.S. PTO  
10/060862  
01/30/02REQUEST FOR FILING A CONTINUATION OR DIVISION  
OF AN INTERNATIONAL APPLICATION

Sir:

This is a request for filing a *continuation* application under 37 C.F.R. 1.53(b), of pending prior international application number PCT/EP00/07494 filed on August 2, 2000 which designated the United States.

Inventor(s):

**Michel Gau** whose address is La grangette haute, F-11590 Ouveillan, France  
and whose citizenship is: France

Prep # Q  
Amended  
B

Title: **INTERVERTEBRAL NUCLEUS PROSTHESIS AND SURGICAL PROCEDURE FOR IMPLANTING THE SAME**

APPLICATION ELEMENTS:

- (1) ☒ Patent Application Specification, including Abstract and 9 claims (the claims can be found on pages 14-17) - filed in the German language - 18 pages total
- (2) ☒ Two (2) sheet(s) of **formal drawings**, together with transmittal letter
- (3) ☐ A check in the amount of \$\_\_\_\_\_ to cover the ☐ filing fee(\$ .00 ) and/or ☐ Assignment Recordal Fee (\$\_\_\_\_\_) is enclosed.
- ☐ Before calculating the fee, cancel claim(s)
- ☐ Before calculating the fee, see copy of Preliminary Amendment filed.

10060862-013002

Basic Fee							\$	.00
Multiple Dependent Claims (\$260.)								
Foreign Language Surcharge (\$130.)								
	For	No. Filed	-	No. Extra		Rate		
EXTRA	Total Claims		20		x	\$18.	=	\$ .00
CLAIMS	Independent Claims		3		x	\$80.	=	\$ .00
<b>TOTAL FILING FEE</b>							<b>=</b>	<b>\$ .00</b>

- (4) ☐ Declaration and Power of Attorney form -- pages  
 a. ☐ Newly executed  
 b. ☐ Copy from a prior application  
 c. ☐ Deletion of inventor(s) – signed statement attached deleting inventor(s) named in the prior application.
- (5) ☐ Small Entity Status

**ACCOMPANYING APPLICATION PARTS:**

- (6) ☐ Assignment document  
 a. ☐ Newly executed (with \$40.00 recordal fee) and separate transmittal Form PTO-1595  
 b. ☐ Copy from a prior application  
 c. ☐ Please include assignee information when this application is published  
**Assignee:**
- (7) ☐ Preliminary Amendment
- (8) ☐ Certified Copy of Priority Document, together with separate transmittal letter
- (9) ☐ Information Disclosure Statement, together with PTO Form 1449 and copies of cited references
- (10) ☒ Return receipt postage prepaid postcard
- (11) ☒ Express Mail Certificate (Mailing Label No. EV 046687170 US)
- (12) ☒ Patent Application Data Entry Form
- (13) ☐ Other:

10060802 013002

- (14) ☒ Please amend the specification by inserting before the first line the sentence:

**"This application is a continuation of international application number  
PCT/EP00/07494 filed on August 2, 2000."**

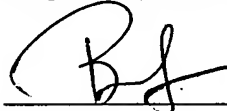
- (15) ☒ This application claims the benefit of French Patent Application  
No. 99/10167 filed August 3, 1999.

- (16) ☒ Correspondence address:

**Barry R. Lipsitz  
Law Offices of Barry R. Lipsitz  
755 Main Street, Building 8  
Monroe, CT 06468  
Telephone: (203) 459-0200**

- (17) ☒ Pursuant to the provisions of 37 C.F.R. Sections 1.10 and 1.53, Applicant  
respectfully requests that this application be assigned a serial number and a filing  
date of January 30, 2002, the date upon which the application was mailed to the  
Patent and Trademark Office by Express Mail (No. EV 046687170 US).

Respectfully submitted,



Barry R. Lipsitz  
Attorney for Applicant(s)  
Registration No. 28,637  
755 Main Street, Bldg. 8  
Monroe, CT 06468  
(203) 459-0200

**ATTORNEY DOCKET NO.: HOE-676  
Date: January 30, 2002**

2002-01-30

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

M. Gau

Filed: Herewith

For: **INTERVERTEBRAL NUCLEUS PROSTHESIS AND SURGICAL PROCEDURE FOR IMPLANTING THE SAME**

**EXPRESS MAIL CERTIFICATE**

**BOX PATENT APPLICATION**

**Commissioner for Patents**

**Washington, D.C. 20231**

"Express Mail" mailing label number EV 046687170 US

Date of Deposit: January 30, 2002

I hereby certify that the attached:

- ☒ [ x ] Return receipt postage prepaid postcard;
- ☒ [ x ] Transmittal Letter (Request for Filing a Continuation or Division of an International Application), with attachment - 3 pages total;
- ☒ [ x ] Patent Application Data Entry Sheet;
- ☒ [ x ] Patent Application Specification, including Abstract and 9 claims (the claims can be found on pages 14-17) - filed in the German language - 18 pages total
- ☒ [ x ] Two (2) sheets of formal drawings, together with transmittal letter.

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 and 1.53 on the date indicated above and is addressed to: **BOX PATENT APPLICATION, Commissioner for Patents, Washington, D.C. 20231**

Carol Prentice

(Typed or printed name of person mailing paper or fee)

Carol Prentice

(Signature of person mailing paper or fee)

Respectfully submitted,

Date: **January 30, 2002**

ATTORNEY DOCKET NO.: **HOE-676**

Barry R. Lipsitz

Barry R. Lipsitz

Attorney for Applicant(s)

Registration No. 28,637

755 Main Street, Bldg. 8

Monroe, CT 06468

(203) 459-0200

P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )

M. Gau )

Application No.: )

Filed: Herewith )

For: **INTERVERTEBRAL NUCLEUS PROSTHESIS AND SURGICAL PROCEDURE FOR  
IMPLANTING THE SAME**

**DRAWING REVIEW BRANCH**  
Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail (No. EV 046687170 US) addressed to BOX PATENT APPLICATION, Commissioner for Patents, Washington, D.C. 20231 on January 30, 2002.

By: Carol Prentice

Carol Prentice

TRANSMITTAL OF FORMAL DRAWINGS

Dear Sir:

Enclosed are two (2) sheets of formal drawings for filing in the above-referenced patent application.

Please advise the undersigned attorney if correction is necessary.

Respectfully submitted,

Date: January 30, 2002  
**ATTORNEY DOCKET NO.: HOE-676**

Barry R. Lipsitz  
Barry R. Lipsitz  
Attorney for Applicant(s)  
Registration No. 28,637  
755 Main Street, Building 8  
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